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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 19830 of 2021

Amarendra Deo Gupta
Vs.
Coal India Limited & Ors.

Mr. Samrat Choudhury
.... For the petitioner.

Mr. Shiv Sankar Banerjee,
Ms. Sanchita Barman Roy
... For the respondent no.1.

Mr. Nikhil Kumar Roy
... For the respondent no.2.

The petitioner has approached this Court on the ground that he was denied promotion. During the pendency of the writ petition, the petitioner has been promoted. The petitioner has accepted the promotion but says that he has lost his seniority due to the promotion being given effect at a belated stage.

The original cause for which the writ petition was filed in view of promotion does not survive anymore. The petitioner's grievance at the highest can be losing seniority due to belated promotion. The writ petition as framed cannot cater to this grievance of the petitioner. Even if a supplementary affidavit is invited, the writ petition will not become one for considering the loss of seniority due to belated promotion given to the petitioner.

The writ petition, therefor, is dismissed as withdrawn. The petitioner, however, shall be at liberty to file appropriate proceedings in accordance with law on the ground that he has lost seniority on being given promotion at a belated stage.

(Arindam Mukherjee, J.)